

## HALL COUNTY BOARD OF SUPERVISORS MEETING FEBRUARY 6, 2007

The Hall County Board of Supervisors met February 6, 2007, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER - The meeting was called to order by Chairman Scott Arnold.

INVOCATION - Invocation was given by Scott Arnold.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison.

ROLL CALL - Present on roll call were, Scott Arnold, Jim Eriksen, Bob Humiston, Bud Jeffries, Pamela Lancaster, Robert Rye and Daniel Wagoner. Also present was a representative from the *Grand Island Independent* and Deputy County Attorney Michelle Oldham.

NOTICE OF OPEN MEETING LAW – Chairman Arnold read the notice of the open meeting law.

CONSENT AGENDA – Lancaster made a motion and Jeffries seconded to approve the following by consent agenda:

1. Accepted and placed on file the minutes of the January 23 meeting
2. 4 Authorized the Chair to sign the utility easement for water and electric utility lines at the new corrections facility
3. 5d Placed on file the Hall County Highway Department Quarterly Report
4. Approved Resolution 07-006 for exchange of collateral for Five Points Bank in the amount of \$450,000.00
5. 10 Placed on file the keno financial report for quarter ending December 31, 2006
6. 11 Placed on file the Hall County Audit Report for year ending June 30, 2006
7. 15 Placed on file communication from Regional Planning
8. 16 Approve the bi weekly pay claims and authorized the Clerk to pay
9. 23 Placed on file the office reports from the Hall County Park, Hall and Howard County Juvenile Services and County Court
10. 24 Placed on file the Hall County Treasurer's Miscellaneous Receipts
11. 25 Placed on file communications as received

Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and one voted no. Motion carried.

### OFFICE REPORT HALL COUNTY JUVENILE SERVICES January 2007

JUVENILE REFERRALS	37 JUVENILES
JUVENILE OFFENDERS	2 JUVENILE
JUVENILE HOUSE ARREST	0 JUVENILES
TOTAL UNDER SUPERVISION	247 JUVENILES
FEES COLLECTED	\$990.00

OFFICE REPORT  
HOWARD COUNTY JUVENILE SERVICES  
January 2007

JUVENILE REFERRALS	0 JUVENILES
TOTAL JUVENILE ENROLLEES	9 JUVENILES
FEES COLLECTED FOR MONTH	\$200.00
TOTAL FEES COLLECTED FISCAL YEAR	\$1,800.00

OFFICE REPORT  
COUNTY COURT  
January 2006

FINES (CO.)	\$ 63,347.66
OVERLOAD FINES	1,000.00
REIMBURSE SHERIFF FEES	2,749.73
WORK RELEASE FEES	1,046.00
REIMBURSE FAX COPIES	.00
FINES (CITY)	12,361.90
REIMBURSE WITNESS FEES	1,178.63
BOND FORFEITURES	1,693.60
REIMBURSE CO. FEES	393.23
TOTAL	\$ 88,770.75

COUNTY ATTORNEY EXECUTIVE SESSION DISCUSSION OF PUBLIC OFFICIAL LIABILITY CLAIM – Lancaster made a motion and Jeffries seconded to go into executive session to protect needles harm or injure to an individual and to protect the public interest. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and one voted no. Motion carried.

9:15 a.m. executive session

9:25 a.m. Jeffries made a motion and Lancaster seconded to go out of executive session. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and one voted no. Motion carried.

PUBLIC PARTICIPATION – Chairman Arnold called for public participation and Mike Olsen from the Hall County Regional Airport requested to speak. He stated that on January 26 the Hall County Airport received the “Airport of the Year Award” he thanked the Board for their support and stated that this is a community award.

6 DISCUSS AND TAKE ACTION ON PROCLAMATION FOR FOOD STAMP OUTREACH – Eriksen made a motion and Lancaster seconded to approve the Proclamation #07-005. This stated that the county recognized the food stamp program. County Clerk Marla Conley read the proclamation. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and one voted no. Motion carried.

9:30 a.m. PUBLIC HEARING FOR UNION PACIFIC RAILROAD CROSSING AT CAPITAL AVENUE – Jeffries made a motion and Lancaster seconded to open the public hearing. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and one voted no. Motion carried.

County Surveyor Casey Sherlock was present. He stated that he received a request from the Union Pacific Railroad to close the crossing at Capital Avenue. He conducted a study and forwarded the report and a recommendation to the board. The resolution regarding the closure has also been prepared.

Jeffries questioned if there were future plans to construct an overpass on Shad Bend Road. Mr. Sherlock stated that this may not be for 10 or 15 years or longer.

Grand Island Public Works Director Steve Riehle was present. He stated that when the Apache Helicopter facility was proposed at the Airport they needed to look at what it would take to address this need. A proposed overpass at Shady Bend would be 11 million dollars and at Shady Bend it would be 18 million. There is no work currently scheduled. Jeffries questioned if Stuhr road would be a 3 lane road because of the amount of traffic. Riehle stated that there was discussion on this and it would be a joint project with the City and County. It is important to look at this project carefully if it is closed it will be difficult to reopen.

Eriksen questioned what the time frame for this project. Mr. Sherlock stated he did not know. Union Pacific is doing some of the track modifications now.

Arnold questioned the traffic count; it seems more cars are using Capital Avenue. Mr. Sherlock stated that if they have to use Shady Bend Road it would double the traffic count there.

Jeffries stated that even with the cost of construction an overpass it is used for many years.

Wagoner questioned Mr. Riehle if he was aware of a proposal to construct a bypass around Grand Island. Mr. Riehle stated that he was not aware of that. Chairman Arnold called for public participation.

Tony Sites owner of Sundance Feed and Seed was present and stated that he is opposed to closing Capital Avenue. This would decrease the traffic to his business because of the faster rate of speed. He expressed concern on the number of crossing that already have been closed. He also questioned why the trains are stopped on the tracks blocking the crossings. He noted that the railroad is one of the largest corporations and does not think it is fair that they can close all of the crossing.

Leon Cederlind – He stated that Capital Avenue is direct access to the hospital. He also stated that Shad Bend is used for truck access to Swift and if Capital Avenue is closed and there are trains blocking the other crossing there will not be access for the ambulances to get to the hospital. He noted that there are state statutes regarding trains blocking crossings. Senator Dubas has done considerable research on this subject and has proposed legislation with LB 676. This would increase the fines for block crossing. He stated that is unreasonable to close this crossing.

Jeffries noted that it is the intent of the railroads to have one man per train. So the engineers would have to break the train, in order to prevent blocking the crossings.

Todd Friesen, owner of Senior Motors stated that if Capital is closed it will hurt his business because the traffic will be faster and will not stop. He recently built storage units on his property and noted he had to comply with the 200 ft easement that the railroad has in place and questioned if he would get that back..

Arnold stated that he would like more traffic information for this crossing and if this is in the interest of public safety he would like that information.

Monty Stelk stated he lives on Gunbarrel Road and for public safety and emergency vehicles Capital Avenue is a good way to get through. He also expressed concern that the additional traffic on Shady Bend that is a two lane road would be a bad situation. He questioned how much commerce would be lost to the mall area if this direct rout was closed. He is opposed to closing this crossing.

Lancaster stated that she appreciated the public input. It is the board's responsibility to protect the public interest but a number of issues have been brought up, concern for business, safety, access to hospital, access to mall area and access for fire and other emergency vehicles.

Larry Kelly 2790 Gunbarrel Road stated that Capital Avenue is direct access to Senior and Northwest High. If this is closed before an overpass is constructed it would be a big mistake.

Lancaster made a motion and Jeffries seconded to close the public hearing. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and one voted no. Motion carried.

Jeffries made a motion and Lancaster seconded to refer this to the public works committee. This issue needs more study. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and one voted no. Motion carried.

Eriksen questioned what the time frame that the board had to address this issue. Michelle Oldham stated that preferably it should be considered at the next board meeting.

**5c DISCUSS AND TAKE ACTION ON RESOLUTION CLOSING RAILROAD CROSSING AT 150<sup>TH</sup> ROAD** – The public hearing was held December 12, 2006. Casey Sherlock was present. He submitted his report regarding this and recommended that the crossing be closed. The bypass road has been constructed and the closing of this crossing is critical to the construction of the ethanol plant.

Jeffries made a motion and Humiston seconded to approve Resolution 07-004 to close the Railroad crossing at 150<sup>th</sup> Road. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and one voted no. Motion carried.

Mr. Sherlock stated that the 1 & 6 Road Program will be presented to the Regional Planning board tonight and the County will hold a public hearing.

8 FACILITIES COMMITTEE RECOMMENDATIONS REQUESTING APPROVAL TO OBTAIN AN APPRAISAL FOR THE CHILDREN'S VILLAGE BUILDING – This issue was discussed two weeks ago and the committee met regarding this. They are requesting the board's approval to obtain an appraisal of the property and to obtain a legal opinion on the process to sell the property.

Lancaster stated that the county will take over the responsibilities of the building.

Lancaster made a motion and Jeffries seconded to obtain an appraisal of the property. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and one voted no. Motion carried.

Lancaster made a motion and Jeffries seconded to seek a legal opinion on the process to sell the property.

Jeffries stated that the County needs to know if we can sell the property and know what our options are.

Wagoner expressed concern that with the closing of the regional centers the county could inherit problems on how to take care of those individuals. He questioned if the property may have some future use. The original use was for the care of children and then it was used for a staff security facility but that process has changed so the original intent for the use of the building will not be the same. Wagoner also noted that some of the individuals that were in the regional centers are not in the correctional facilities.

Lancaster stated that the county does not have a hospital so the county uses other service providers. The County needs to explore all of our options. We need a legal opinion and need to determine the value of the property.

Scott Dugan CEO with Mid Plains Center was present and stated that they have been paying the insurance on the building. This issue had been discussed before.

The vote on the motion to seek a legal opinion was taken. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and one voted no. Motion carried.

Discussion was held on what the county needs to do to take back ownership.

Eriksen made a motion and Lancaster seconded to direct the County Attorney to send a notice to vacate the property. The utilities will be changed to Hall County. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and one voted no. Motion carried.

9 DISCUSS AND APPROVE ACTION ON 150<sup>TH</sup> ANNIVERSARY PROJECT – Lancaster stated that she has been working with the Convention and Visitors Bureau on the 150<sup>th</sup> anniversary. There is a line item in the budget for this. She stated that they are considering a picture gallery and including this on the Hall County Flag. She stated she will keep the board updated. Rye noted that he was sure Lancaster would be quite frugal.

13 DISCUSSION ON DECALS FOR COUNTY VEHICLES – Jeffries stated that this issue was discussed last year and would like to see this project completed. Lancaster stated that this was referred to the computer committee and it was discussed if they should make a new decal or use something that is already done. The computer committee will meet tomorrow and they will come back in two weeks.

Lancaster made a motion and Rye seconded to refer to the committee and they will come back in two weeks with a recommendation. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and one voted no. Motion carried.

12 EXECUTIVE SESSION PERSONNEL EVALUATION – Lancaster made a motion and Eriksen seconded to go into executive session to prevent needless harm or injury to an individual. This is an annual performance evaluation. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and one voted no. Motion carried.

11:20 a.m. executive session.

11:25 a.m. Lancaster made a motion and Wagoner seconded to go out of executive session. Arnold, Eriksen, Humiston, Jeffries, Lancaster, Rye and Wagoner all voted yes and one voted no. Motion carried.

BOARD MEMBER REPORTS – Chairman Arnold called for any board member reports.

Eriksen stated that the emergency management committee is working through the hiring process and they have conducted interviews. He expects that they may have a recommendation in 30 days.

Arnold – He stated that they board toured the new corrections facility and noted there are some walls and floors going up.

Jeffries stated that the weather has been too cold to make much progress.

Lancaster stated that the long range planning committee is working with DLR regarding the space needs. They will keep the board updated.

Arnold called for any other business and no one responded.

Meeting adjourned at 11:25 a.m. The next meeting will be February 20, 2007 at 9:00 a.m.

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Marla J. Conley Hall County Clerk